

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	CASE NO. CR10-156-RAJ
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
JAMES TARQUI SHAVIES,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An initial hearing on supervised release revocation in this case was scheduled before me on May 8, 2013. The United States was represented by AUSA Jeffrey Backhus and the defendant by Lynn Hartfield. The proceedings were digitally recorded.

Defendant had been sentenced on or about October 15, 2010 by the Honorable Richard A. Jones on a charge of Possession of Counterfeit Obligations of the United States, and sentenced to 3 years probation.

The conditions of probation included the standard conditions plus the requirements that defendant participate in drug testing, abstain from alcohol, submit to search, participate in a mental health program, provide access to financial information, and participate in electronic

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01 monitoring for 11 months at the Oxford House. (Dkt. 59.)

02 On April 22, 2011, defendant was found to have violated the conditions of probation by
03 using marijuana, failing to notify his probation officer of a change of residence, failing to report
04 for drug testing, failing to participate in a substance abuse program, and failing to make
05 monthly payments toward his special assessment. He was sentenced to 7 months in custody,
06 three years supervised release on the same conditions of supervision. (Dkt. 85.)

07 The conditions of supervision were modified on December 8, 2011 to require defendant
08 to reside in and satisfactorily participate in a residential reentry program for up to 120 days.
09 (Dkt. 93.)

10 On May 10, 2012, defendant was found to have violated the conditions of supervision
11 by failing to participate in the residential reentry center program, failing to notify his probation
12 officer of a change in residence, failing to report to the probation officer as directed, and
13 associating with a known felon. Defendant was sentenced to nine months in custody, 24 months
14 supervised release on the previous conditions. (Dkt. 106.)

15 In an application dated May 7, 2013 (Dkt. 116, 117), U.S. Probation Officer Jennifer J.
16 Tien alleged the following violations of the conditions of supervised release:

17 1. Failing to contact his probation officer on a weekly basis to provide updates on
18 employment seeking efforts, in violation of standard condition #3.

19 2. Failing to submit monthly supervision reports for the months of February,
20 March and April 2013, in violation of standard condition #2.

21 3. Failing to satisfactorily participate in the residential reentry center by being
22 terminated on May 7, 2013, in violation fo the special condition.

01 4. Using methamphetamine on or before May 2, 2013, in violation of standard
02 condition #7.

03 Defendant was advised in full as to those charges and as to his constitutional rights.

04 Defendant admitted all four violations and waived any evidentiary hearing as to whether
05 they occurred. (Dkt. 119.)

06 I therefore recommend the Court find defendant violated his supervised release as
07 alleged in violations 1-4, and that the Court conduct a hearing limited to the issue of disposition.
08 The next hearing will be set before Judge Jones.

09 Pending a final determination by the Court, defendant has been released on an
10 appearance bond (Dkt. 120).

11 DATED this 8th day of May, 2013.

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13 

14 Mary Alice Theiler
15 United States Magistrate Judge
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17 cc: District Judge: Honorable Richard A. Jones
18 AUSA: Jeffrey Backhus
19 Defendant's attorney: Lynn Hartfield
20 Probation officer: Jennifer Tien
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